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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Hiroaki SUDO

Art Unit 2617

Appln. No.: 10/502,091

Exr. C. Brandt

Filed: July 22, 2004

Conf. No. 4015

For: **OFDM-CDMA TRANSMITTING APPARATUS AND OFDM-CDMA
TRANSMITTING METHOD**

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, DC 20231

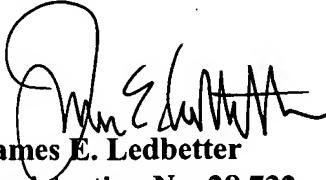
Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the documents listed on the attached Form PTO 1449. Attached is a Japanese Office Action dated January 15, 2008 with an English translation thereof. JP '864 cited therein was filed in the Information Disclosure Statement of July 22, 2004.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered

during the prosecution of this application and made of record herein and appear among
the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: April 15, 2008

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CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(e)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a Japanese Office Action dated January 15, 2008) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

Date: April 15, 2008

James E. Ledbetter
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